

CORRECTED 2/13/01

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL**

FOR: HEALTH CARE FINANCING ADMINISTRATION

1. TRANSMITTAL NUMBER:

9 8 — 0 1 2

2. STATE:

Arkansas

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL
SECURITY ACT (MEDICAID)TO: REGIONAL ADMINISTRATOR
HEALTH CARE FINANCING ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

October 1, 1998

5. TYPE OF PLAN MATERIAL (Check One):

☐ NEW STATE PLAN☐ AMENDMENT TO BE CONSIDERED AS NEW PLAN☒ AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION:

Section 1905(r)

7. FEDERAL BUDGET IMPACT:

a. FFY 1999 \$ 806,293.00²⁸²b. FFY 2000 \$ 1,017,674.00

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:

Please see attached listing

9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION
OR ATTACHMENT (If Applicable):

Please see attached listing

10. SUBJECT OF AMENDMENT:

The Arkansas Title XIX State Plan has been amended to add coverage and reimbursement
for Rehabilitative Services for Youth.

11. GOVERNOR'S REVIEW (Check One):

☒ GOVERNOR'S OFFICE REPORTED NO COMMENT☐ COMMENTS OF GOVERNOR'S OFFICE ENCLOSED☐ NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITAL☐ OTHER, AS SPECIFIED:

12. SIGNATURE OF STATE AGENCY OFFICIAL:

13. TYPED NAME:

Ray Hanley

14. TITLE:

Director, Division of Medical Services

15. DATE SUBMITTED:

July 31, 1998

16. RETURN TO:

Division of Medical Services
P. O. Box 1437
Little Rock, AR 72203-1437Attention: Binnie Alberius
Slot 1103**FOR REGIONAL OFFICE USE ONLY**

17. DATE RECEIVED:

08-06-1998

18. DATE APPROVED:

May 14, 2001

PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL:

October 1, 1998

20. SIGNATURE OF REGIONAL OFFICIAL:

Calvin G. Cline

21. TYPED NAME:

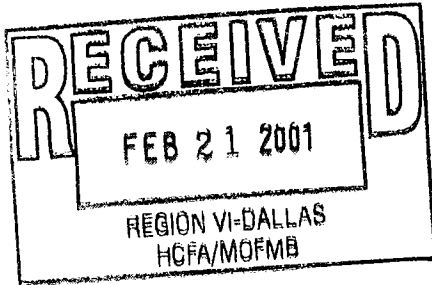
Calvin G. Cline

22. TITLE:

Associate Regional Administrator
Division of Medicaid and State Operations

23. REMARKS:

(5/14/01)
Pen + Ink Changes: (Per Ford Blunt FFY 1999 = \$ 806,282.
FFY 2000 = \$ 1,017,725; FFY 2001 = \$ 1,017,687)



CORRECTED 2/13/01

ATTACHED LISTING FOR
ARKANSAS STATE PLAN
TRANSMITTAL #98-012

8. Number of the Plan
Section or Attachment

Number of Superseded Plan
Section or Attachment

Attachment 3.1-A, Pages 1x, 1xx, 1xxx,
1xxxx, 1y, 1yy, and 1yyy
(7 pages)

None, New Pages

Attachment 3.1-B, Pages 2v, 2vv, 2vvv,
2vvvv, 2w, 2ww, and 2www
(7 pages)

None, New Pages

Attachment 4.19-B, Pages 1u and 1uu
(2 pages)

None, New Pages

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
STATE ARKANSAS

ATTACHMENT 3.1-A
Page 1x

AMOUNT, DURATION AND SCOPE OF
SERVICES PROVIDED

October 1, 1998

CATEGORICALLY NEEDY

4b. Early and Periodic Screening and Diagnosis of Individuals Under 21 Years of Age, and Treatment of Conditions Found. (Continued)

20. Rehabilitative Services to Youth

ELIGIBILITY FOR SERVICES

The following recipients are eligible for rehabilitative services to youth as set forth in this Section:

A. General Eligibility

1. Categorically Needy Medicaid recipients.

B. Specific Eligibility

1. The recipient must be age twenty (20) years or less, and
2. Require rehabilitative mental health services based on recommendation of a physician or other licensed and/or certified practitioner of the healing arts acting within their scope of practice as defined in state law and/or regulations.

DURATION OF SERVICES

Each Title XIX EPSDT recipient is eligible for covered rehabilitative services in accordance with 42 CFR 440.130(d) which are medically necessary. There shall be a determination, made by a youth services agency designated by state law and/or regulations, at Title 9, Chapter 28 of the Arkansas Code to make such a determination, that the youth continues to be either at risk of delinquency or is delinquent and is in need of those services specified at Title 9, Chapter 28 of the Arkansas Code. The Division of Medical Services, as the entity authorized to determine medical necessity, reserves the right to request additional information to determine medical necessity.

STATE	Arkansas	A
DATE REC'D	08-06-98	
DATE APP'D	05-14-01	
DATE EFF	10-01-98	
HCFA 179	AR-98-12	

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
STATE ARKANSAS

ATTACHMENT 3.1-A
Page 1xx

AMOUNT, DURATION AND SCOPE OF
SERVICES PROVIDED

October 1, 1998

CATEGORICALLY NEEDY

4b. Early and Periodic Screening and Diagnosis of Individuals Under 21 Years of Age, and Treatment of Conditions Found. (Continued)

20. Rehabilitative Services to Youth (Continued)

COVERED SERVICES

A covered service is a specific in-home or out-of-home non-residential or residential rehabilitative service determined to be medically necessary, as defined above, and included in a youth's treatment plan prepared by a qualified/certified provider of rehabilitative services to youth. These services are designed to ameliorate psychological or emotional problems of youth, which contribute to delinquent behavior and placement or the risks of placement in the youth services system. They are designed to restore psychological or emotional functioning of the youth to assist him/her in achieving or maintaining his/her highest functioning level. The following services are covered when provided in a setting appropriate to the plan of care and when care is provided through a certified provider of rehabilitative services for youth.

1. Diagnosis and Evaluation - This non-residential service provides assessment of the nature and extent of a youth's physical, emotional, educational and behavioral problems and recommendations for treatment strategies to remedy the identified problems. The specific diagnostic services provided and level of sophistication of reports produced are based on the individual needs of the referring agency. Allowable components include:
 - (a) Social assessment,
 - (b) Psychological evaluation,
 - (c) Psychiatric evaluation,
 - (d) Consultation with the referring agency, and
 - (e) A medical evaluation, if the assessment indicates a physical association with the emotional and/or behavioral problem(s).

STATE <u>Arkansas</u>	A
DATE REC'D <u>08-06-98</u>	
DATE APPV'D <u>05-14-01</u>	
DATE EFF <u>10-01-98</u>	
HCFA 179 <u>AR-98-12</u>	

SUPERSEDES: NONE - NEW PAGE

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
STATE ARKANSAS

ATTACHMENT 3.1-A
Page 1xxx

AMOUNT, DURATION AND SCOPE OF
SERVICES PROVIDED

October 1, 1998

CATEGORICALLY NEEDY

4b. Early and Periodic Screening and Diagnosis of Individuals Under 21 Years of Age, and Treatment of Conditions Found. (Continued)

20. Rehabilitative Services to Youth (Continued)

2. Therapy - This non-residential service provides for a therapeutic relationship between the client and a "qualified therapist" for the purpose of accomplishing changes that are identified as goals in the case plan through the use of various counseling techniques. Services to specific individuals include:

- (a) Individual therapy,
- (b) Group therapy,
- (c) Family therapy (youth included), and
- (d) Consultation with the referral source.

Qualified therapist is defined as a Master's level professional or Bachelor's level professional supervised by a Master's level clinician, or a Master's level psychologist supervised by a Ph. D. level psychologist who is licensed in the State of Arkansas in either psychology, social work or professional counseling. To be considered as a "Qualified Therapist" the individual must be in good standing before the board to which he or she is licensed.

3. Emergency Shelter - This residential service provides services for youth whose circumstances or behavioral problems necessitate immediate removal from their homes or for youth released from a youth services facility who need temporary placement in the community until long term residential arrangements can be made. Emergency Shelter services include:

- (a) Additional evaluation of the nature and extent of a youth's emotional and behavioral problems, including social assessment, psychological evaluation, psychiatric evaluation and consultation with the referring agency, and
- (b) Interventions to address the youth's emotional and behavioral problems.

The extent and depth of services provided to a youth in the Emergency Shelter program depends upon the individual needs of the youth and the referral source.

STATE	<u>Arkansas</u>
DATE REC'D	<u>08-06-98</u>
DATE APP'D	<u>06-14-01</u>
DATE EFF	<u>10-01-98</u>
HCFA 179	<u>AR-98-12</u>

A

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
STATE ARKANSAS

ATTACHMENT 3.1-A
Page 1xxxx

AMOUNT, DURATION AND SCOPE OF
SERVICES PROVIDED

October 1, 1998

CATEGORICALLY NEEDY

4b. Early and Periodic Screening and Diagnosis of Individuals Under 21 Years of Age, and Treatment of Conditions Found. (Continued)

20. Rehabilitative Services to Youth (Continued)

4. Therapeutic Foster Care - This residential service provides intensive therapeutic care for children provided in family homes which operate within a comprehensive residential treatment system or as an adjunct to a mental health treatment program and for which a service fee is paid to specially trained foster families. Care givers who provide this service in their homes, if not specially trained, are specifically qualified to provide the service because they have an educational or a professional background that attests to qualification equal to or greater than that of care givers who have received special training. Children to whom this service is provided have physical, emotional, or behavioral problems which cannot be remedied in their own home, in a routine foster parenting situation, or in a residential program.
5. Therapeutic Group Home - This residential service provides twenty-four hour intensive therapeutic care provided in a small group home setting for youth with emotional and/or behavior problems which cannot be remedied by less intensive treatment, as diagnosed by a qualified professional. The program is offered to prepare a juvenile for less intensive treatment, independent living, or to return to the community.
6. Residential Treatment - This residential service provides twenty-four hour treatment service available for up to one year for each individual, for youth whose emotional and/or behavioral problems, as diagnosed by a qualified professional, cannot be remedied in his or her own home. Residential Treatment services require the formulation and implementation of an individualized treatment plan with time-framed, measurable objectives for each youth.

Qualified professional is defined as a Master's level professional or Bachelor's level professional supervised by a Master's level clinician, or a Master's level psychologist supervised by a Ph. D. level psychologist who is licensed in the State of Arkansas in either psychology, social work or professional counseling. To be considered as a "Qualified Professional" the individual must be in good standing before the board to which he or she is licensed.

STATE	Arkansas	A
DATE REC'D	08-06-98	
DATE APP'VD	05-14-01	
DATE EFF	10-01-98	
HCFA 179	AR-98-12	

SUPERSEDED. NOTE - NEW PAGE

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
STATE ARKANSAS

ATTACHMENT 3.1-A
Page 1y

AMOUNT, DURATION AND SCOPE OF
SERVICES PROVIDED

October 1, 1998

CATEGORICALLY NEEDY

4b. Early and Periodic Screening and Diagnosis of Individuals Under 21 Years of Age, and Treatment of Conditions Found. (Continued)

20. Rehabilitative Services to Youth (Continued)

PROVIDER QUALIFICATION

Rehabilitative services for youth will be provided only through qualified providers and provider agencies. Qualified rehabilitative services for youth provider agencies must meet the following criteria. Care is provided by qualified therapists, other qualified professionals and staff, qualified by experience and/or training, of certified rehabilitative services providers for youth. Rehabilitative services providers for youth must:

1. Be certified by the State Youth Services Agency as having programs and professional staff capable of delivering the rehabilitative services offered under the Plan,
2. Have full access to all pertinent records concerning the youth's needs for services including records of the Arkansas District Courts, local Youth Service Agencies, and State Youth Services Agency,
3. Have established referral systems and demonstrated linkages and referral ability with community resources required by the target population,
4. Have a minimum of one year's experience in providing rehabilitative services for youth,
5. Have an administrative capacity to ensure quality of services in accordance with State and Federal requirements,
6. Have a financial management capacity and system that provides documentation of services and costs in conformity with generally accepted accounting principles,
7. Have a capacity to document and maintain individual case records in accordance with State and Federal requirements, and

STATE	Arkansas
DATE REC'D	08-06-98
DATE APPV'D	05-14-01
DATE EFF	10-01-98
HCFA 179	AR-98-13

A

SUPERSEDED. (NONE) - NEW PAGE

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
STATE ARKANSAS

ATTACHMENT 3.1-A
Page 1yy

AMOUNT, DURATION AND SCOPE OF
SERVICES PROVIDED

October 1, 1998

CATEGORICALLY NEEDY

4b. Early and Periodic Screening and Diagnosis of Individuals Under 21 Years of Age, and Treatment of Conditions Found. (Continued)

20. Rehabilitative Services to Youth (Continued)

8. Have a demonstrated ability to meet all State and Federal laws governing the participation of providers in the State Medicaid program, including the ability to meet Federal and State requirements for documentation, billing and audits.

SERVICE SETTINGS

Rehabilitative services for youth will be provided in the least restrictive setting appropriate to the youth's assessed condition, plan of care and service. Services shall be provided to youth in one or more of the following settings:

1. Non-residential services provided to youth who reside in a family home setting will be provided either in the youth's home or in the customary place of business of a qualified provider.
2. Residential services provided to youth who reside outside of a family home will be provided in an appropriately state licensed and/or certified setting including:
 - (a) Emergency shelter facilities licensed and/or certified in accordance with the Minimum Licensing Standards for Child Welfare Agencies adopted by the Child Welfare Agency Review Board and the Arkansas Department of Human Services,
 - (b) Residential treatment facilities licensed and/or certified in accordance with the Minimum Licensing Standards for Child Welfare Agencies adopted by the Child Welfare Agency Review Board and the Arkansas Department of Human Services, and
 - (c) Therapeutic foster and group homes licensed and/or certified in accordance with the Minimum Licensing Standards for Child Welfare Agencies adopted by the Child Welfare Agency Review Board and the Arkansas Department of Human Services.

STATE	Arkansas
DATE RECD	08-06-98
DATE APPV'D	05-14-01
DATE EFF	10-01-98
HCFA 179	AR-98-12

A

SUPERSEDES. NONE - NEW PAGE

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
STATE ARKANSAS

ATTACHMENT 3.1-A
Page 1yyy

AMOUNT, DURATION AND SCOPE OF
SERVICES PROVIDED

October 1, 1998

CATEGORICALLY NEEDY

4b. Early and Periodic Screening and Diagnosis of Individuals Under 21 Years of Age, and Treatment of Conditions Found. (Continued)

20. Rehabilitative Services to Youth (Continued)

SERVICE SETTINGS(Continued)

3. Services shall not be reimbursed when provided in the following settings:

- (a) Nursing facilities,
- (b) Intermediate care facilities for the mentally retarded, and
- (c) Institutions for the treatment of mental diseases.

FREEDOM OF CHOICE

The State assures that the provision of rehabilitative services for youth will not restrict an individual's free choice of providers in violation of section 1902(a)(23) of the Act.

- 1. Eligible recipients will have free choice of any the qualified providers of rehabilitative services for youth, and
- 2. Eligible recipients will have free choice of the providers of other medical care as covered elsewhere under the Plan.

COMPARABILITY OF SERVICES

The State assures that the provision of rehabilitative services for youth will not limit an individual's access to medically necessary services in violation of section 1902(a)(10) of the Act.

- 1. Rehabilitative services for youth will be made available to all children for whom this service is determined to be medically necessary, and
- 2. All medically necessary health care services described in section 1905(a) will be provided to all EPSDT eligible recipients.

STATE	Arkansas
DATE REC'D	03-06-98
DATE APP'D	05-14-01
DATE EFF	10-01-98
HCFA 179	AR-98-12

SUPERSEDES: NONE NEW PAGE

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
STATE ARKANSAS

ATTACHMENT 3.1-B
Page 2v

AMOUNT, DURATION AND SCOPE OF
SERVICES PROVIDED

October 1, 1998

MEDICALLY NEEDY

- 4b. Early and Periodic Screening and Diagnosis of Individuals Under 21 Years of Age, and Treatment of Conditions Found. (Continued)

20. Rehabilitative Services to Youth

ELIGIBILITY FOR SERVICES

The following recipients are eligible for rehabilitative services to youth as set forth in this Section:

A. General Eligibility

1. Medically Needy Medicaid recipients.

B. Specific Eligibility

1. The recipient must be age twenty (20) years or less, and
2. Require rehabilitative mental health services based on recommendation of a physician or other licensed and/or certified practitioner of the healing arts acting within their scope of practice as defined in state law and/or regulations.

DURATION OF SERVICES

Each Title XIX EPSDT recipient is eligible for covered rehabilitative services in accordance with 42 CFR 440.130(d) which are medically necessary. There shall be a determination, made by a youth services agency designated by state law and/or regulations, at Title 9, Chapter 28 of the Arkansas Code to make such a determination, that the youth continues to be either at risk of delinquency or is delinquent and is in need of those services specified at Title 9, Chapter 28 of the Arkansas Code. The Division of Medical Services, as the entity authorized to determine medical necessity, reserves the right to request additional information to determine medical necessity.

STATE	Arkansas
DATE REC'D	03-06-98
DATE APP'D	05-14-01
DATE EFF	10-01-98
HCFA 179	AR-98-12

SUPERSEDES: NONE - NEW PAGE

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
STATE ARKANSAS

ATTACHMENT 3.1-B
Page 2vv

AMOUNT, DURATION AND SCOPE OF
SERVICES PROVIDED

October 1, 1998

MEDICALLY NEEDY

4b. Early and Periodic Screening and Diagnosis of Individuals Under 21 Years of Age, and Treatment of Conditions Found. (Continued)

20. Rehabilitative Services to Youth (Continued)

COVERED SERVICES

A covered service is a specific in-home or out-of-home non-residential or residential rehabilitative service determined to be medically necessary, as defined above, and included in a youth's treatment plan prepared by a qualified/certified provider of rehabilitative services to youth. These services are designed to ameliorate psychological or emotional problems of youth, which contribute to delinquent behavior and placement or the risks of placement in the youth services system. They are designed to restore psychological or emotional functioning of the youth to assist him/her in achieving or maintaining his/her highest functioning level. The following services are covered when provided in a setting appropriate to the plan of care and when care is provided through a certified provider of rehabilitative services for youth.

1. Diagnosis and Evaluation - This non-residential service provides assessment of the nature and extent of a youth's physical, emotional, educational and behavioral problems and recommendations for treatment strategies to remedy the identified problems. The specific diagnostic services provided and level of sophistication of reports produced are based on the individual needs of the referring agency. Allowable components include:
 - (a) Social assessment,
 - (b) Psychological evaluation,
 - (c) Psychiatric evaluation,
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 - (e) A medical evaluation, if the assessment indicates a physical association with the emotional and/or behavioral problem(s).

STATE	Arkansas
DATE REC'D	03-06-98
DATE APP'D	05-14-01
DATE EFF	10-01-98
HCFA 179	AR-98-12

A

SUPERSEDED: NONE - NEW PAGE

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
STATE ARKANSAS

ATTACHMENT 3.1-B
Page 2vvv

AMOUNT, DURATION AND SCOPE OF
SERVICES PROVIDED

October 1, 1998

MEDICALLY NEEDY

4b. Early and Periodic Screening and Diagnosis of Individuals Under 21 Years of Age, and Treatment of Conditions Found. (Continued)

20. Rehabilitative Services to Youth (Continued)

2. Therapy - This non-residential service provides for a therapeutic relationship between the client and a "qualified therapist" for the purpose of accomplishing changes that are identified as goals in the case plan through the use of various counseling techniques. Services to specific individuals include:

- (a) Individual therapy,
- (b) Group therapy,
- (c) Family therapy (youth included), and
- (d) Consultation with the referral source.

Qualified therapist is defined as a Master's level professional or Bachelor's level professional supervised by a Master's level clinician, or a Master's level psychologist supervised by a Ph. D. level psychologist who is licensed in the State of Arkansas in either psychology, social work or professional counseling. To be considered as a "Qualified Therapist" the individual must be in good standing before the board to which he or she is licensed.

3. Emergency Shelter - This residential service provides services for youth whose circumstances or behavioral problems necessitate immediate removal from their homes or for youth released from a youth services facility who need temporary placement in the community until long term residential arrangements can be made. Emergency Shelter services include:

- (a) Additional evaluation of the nature and extent of a youth's emotional and behavioral problems, including social assessment, psychological evaluation, psychiatric evaluation and consultation with the referring agency, and
- (b) Interventions to address the youth's emotional and behavioral problems.

The extent and depth of services provided to a youth in the Emergency Shelter program depends upon the individual needs of the youth and the referral source.

STATE	<u>Arkansas</u>
DATE REC'D	<u>08-06-98</u>
DATE APP'D	<u>05-14-01</u>
DATE EFF	<u>10-01-98</u>
HCFA 179	<u>AR-98-13</u>

SUPERSEDES: NONE - NEW PAGE

AMOUNT, DURATION AND SCOPE OF
SERVICES PROVIDED

October 1, 1998

MEDICALLY NEEDY

4b. Early and Periodic Screening and Diagnosis of Individuals Under 21 Years of Age, and Treatment of Conditions Found. (Continued)

20. Rehabilitative Services to Youth (Continued)

4. Therapeutic Foster Care - This residential service provides intensive therapeutic care for children provided in family homes which operate within a comprehensive residential treatment system or as an adjunct to a mental health treatment program and for which a service fee is paid to specially trained foster families. Care givers who provide this service in their homes, if not specially trained, are specifically qualified to provide the service because they have an educational or a professional background that attests to qualifications equal to or greater than that of care givers who have received special training. Children to whom this service is provided have physical, emotional, or behavioral problems which cannot be remedied in their own home, in a routine foster parenting situation, or in a residential program.
5. Therapeutic Group Home - This residential service provides twenty-four hour intensive therapeutic care provided in a small group home setting for youth with emotional and/or behavioral problems which cannot be remedied by less intensive treatment, as diagnosed by a qualified professional. The program is offered to prepare a juvenile for less intensive treatment, independent living, or to return to the community.
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STATE	Arkansas
DATE REC'D	08-06-98
DATE APP'VD	05-14-01
DATE EFF	10-01-98
HCFA 179	AR-98-12

SUPERSEDES: NONE - NEW PAGE

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
STATE ARKANSAS

AFTACHMENT 3.1-B
Page 2w

AMOUNT, DURATION AND SCOPE OF
SERVICES PROVIDED

October 1, 1998

MEDICALLY NEEDY

4b. Early and Periodic Screening and Diagnosis of Individuals Under 21 Years of Age, and Treatment of Conditions Found. (Continued)

20. Rehabilitative Services to Youth (Continued)

PROVIDER QUALIFICATION

Rehabilitative services for youth will be provided only through qualified providers and provider agencies. Qualified rehabilitative services for youth provider agencies must meet the following criteria. Care is provided by qualified therapists, other qualified professionals and staff, qualified by experience and/or training, of certified rehabilitative services providers for youth. Rehabilitative services providers for youth must:

1. Be certified by the State Youth Services Agency as having programs and professional staff capable of delivering the rehabilitative services offered under the Plan,
2. Have full access to all pertinent records concerning the youth's needs for services including records of the Arkansas District Courts, local Youth Service Agencies, and State Youth Services Agency,
3. Have established referral systems and demonstrated linkages and referral ability with community resources required by the target population,
4. Have a minimum of one year's experience in providing rehabilitative services for youth,
5. Have an administrative capacity to ensure quality of services in accordance with State and Federal requirements,
6. Have a financial management capacity and system that provides documentation of services and costs in conformity with generally accepted accounting principles,
7. Have a capacity to document and maintain individual case records in accordance with State and Federal requirements, and
8. Have a demonstrated ability to meet all State and Federal laws governing the participation of providers in the State Medicaid program, including the ability to meet Federal and State requirements for documentation, billing and audits.

STATE	Arkansas
DATE REC'D	08-06-98
DATE APP'VE	05-14-01
DATE EFF	10-01-98
HCFA 179	AR-98 12

A

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
STATE ARKANSAS

ATTACHMENT 3.1-B
Page 2ww

AMOUNT, DURATION AND SCOPE OF
SERVICES PROVIDED

October 1, 1998

MEDICALLY NEEDY

4b. Early and Periodic Screening and Diagnosis of Individuals Under 21 Years of Age, and Treatment of Conditions Found. (Continued)

20. Rehabilitative Services to Youth (Continued)

SERVICE SETTINGS

Rehabilitative services for youth will be provided in the least restrictive setting appropriate to the youth's assessed condition, plan of care and service. Services shall be provided to youth in one or more of the following settings:

1. Non-residential services provided to youth who reside in a family home setting will be provided either in the youth's home or in the customary place of business of a qualified provider.
2. Residential services provided to youth who reside outside of a family home will be provided in an appropriately state licensed and/or certified setting including:
 - (a) Emergency shelter facilities licensed and/or certified in accordance with the Minimum Licensing Standards for Child Welfare Agencies adopted by the Child Welfare Agency Review Board and the Arkansas Department of Human Services,
 - (b) Residential treatment facilities licensed and/or certified in accordance with the Minimum Licensing Standards for Child Welfare Agencies adopted by the Child Welfare Agency Review Board and the Arkansas Department of Human Services, and
 - (c) Therapeutic foster and group homes licensed and/or certified in accordance with the Minimum Licensing Standards for Child Welfare Agencies adopted by the Child Welfare Agency Review Board and the Arkansas Department of Human Services.
3. Services shall not be reimbursed when provided in the following settings:
 - (a) Nursing facilities,
 - (b) Intermediate care facilities for the mentally retarded, and
 - (c) Institutions for the treatment of mental diseases.

STATE	Arkansas
DATE REC'D	03-06-98
DATE APP'D	05-14-01
DATE EFF	10-01-98
HCFA 179	AR-98-13

A

AMOUNT, DURATION AND SCOPE OF
SERVICES PROVIDED

October 1, 1998

MEDICALLY NEEDY

4b. Early and Periodic Screening and Diagnosis of Individuals Under 21 Years of Age, and Treatment of Conditions Found. (Continued)

20. Rehabilitative Services to Youth (Continued)

FREEDOM OF CHOICE

The State assures that the provision of rehabilitative services for youth will not restrict an individual's free choice of providers in violation of section 1902(a)(23) of the Act.

1. Eligible recipients will have free choice of any the qualified providers of rehabilitative services for youth, and
2. Eligible recipients will have free choice of the providers of other medical care as covered elsewhere under the Plan.

COMPARABILITY OF SERVICES

The State assures that the provision of rehabilitative services for youth will not limit an individual's access to medically necessary services in violation of section 1902(a)(10) of the Act.

1. Rehabilitative services for youth will be made available to all children for whom this service is determined to be medically necessary, and
2. All medically necessary health care services described in section 1905(a) will be provided to all EPSDT eligible recipients.

STATE	<u>Arkansas</u>	A
DATE REC'D	<u>08-06-98</u>	
DATE APPROV'D	<u>05-14-01</u>	
DATE EFF	<u>10-01-98</u>	
HCFA 179	<u>AR-98-13</u>	

STATE OF ARKANSAS - DEPARTMENT OF HEALTH SERVICES

October 1, 1998

METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES -
OTHER TYPES OF CARE

October 1, 1998

- 4.b. Early and Periodic Screening and Diagnosis of Individuals Under 21 Years of Age and Treatment of Conditions Found (Continued)

(23) Rehabilitative Services to Youth (Continued)

- (a) Emergency shelter facilities licensed and/or certified in accordance with the Minimum Licensing Standards for Child Welfare Agencies adopted by the Child Welfare Agency Review Board and the Arkansas Department of Human Services, and
- (b) Residential treatment facilities licensed and/or certified in accordance with the Minimum Licensing Standards for Child Welfare Agencies adopted by the Child Welfare Agency Review Board and the Arkansas Department of Human Services, and
- (c) Therapeutic foster and group homes licensed and/or certified in accordance with the Minimum Licensing Standards for Child Welfare Agencies adopted by the Child Welfare Agency Review Board and the Arkansas Department of Human Services.

3. Services shall not be reimbursed when provided in the following settings:

- (a) Nursing facilities,
- (b) Intermediate care facilities for the mentally retarded, and
- (c) Institutions for the treatment of mental diseases.

STATE	<u>Arkansas</u>	A
DATE REC'D	<u>08-06-98</u>	
DATE APPV'D	<u>05-14-01</u>	
DATE EFF	<u>10-01-98</u>	
HCFA 179	<u>AR-98-13</u>	

SUPERSEDES: NONE - NEW PAGE